

DECLARATION

SN: 10/511,378

We, each, hereby declare that:

The subject matter which is claimed and for which a patent is sought on the invention entitled

A light applicator and a method for producing a diffuser

the specification of which was filed on April 23, 2003 as PCT International Application No. PCT/DE03/01318 and the priority documents filed in Germany on April 24, 2002 and November 29, 2002, result from the Diplomarbeit (=diploma thesis) of Andreas Obermeier.

The work for the diploma thesis was done mainly at the laser laboratory of the urological department of the clinical center of Ludwigs-Maximilians-Universität.

A copy of the diploma thesis is enclosed as annex 1. The structure of the diffuser is discussed in detail on pages 57 until 61. Figure 60 on page 90 demonstrates the production method and Figure 69 is a photograph of the finished light applicator.

The written diploma thesis was finished during the fall of 2001. This can be shown by the following documents:

- "Selbstständigkeitserklärung" signed by Andreas Obermeier on November 14, 2001 enclosed as annex 2. In this declaration which also forms part of the diploma thesis Andreas Obermeier declared that the diploma thesis was done by himself and that all resources were indicated. The declaration was signed around the day on which the final version of the diploma thesis was given to the official supervisor of Andreas Obermeier at the Fachhochschule München (= University of Applied Science Munich), Dr. Schörner.

- "Beleg zum Erfassen der Diplomarbeit" enclosed as annex 3 and signed by Dr. Schörner and Dr. Fuchsberger on December 18, 2001. This document has been contained in the records of the office of examinations of the Fachhochschule München. Such forms are used to communicate the grading of the diploma thesis to the office of examinations. According to Dr. Schörner the mark of the diploma thesis has been communicated to the office of examinations after he and the second supervisor Dr. Fuchsberger have assigned a grade to the diploma thesis. According to the date on the upper right corner, the document was received by the office of examinations on December 20, 2001.

To protect patent rights in this invention, the written diploma thesis was kept from the public domain until after the filing of the German priority document in 2002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.